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REMARKS

The Office Action dated 4 March 2003 has been reviewed, and the comments of the U.S. Patent Office have been considered. Claim 4 has been amended in accordance with the Examiner's helpful suggestion and claim 12 has been rewritten in independent form. Claims 1-17 remain pending and are respectfully submitted for reconsideration by the Examiner.

Applicant thanks the Examiner for indicating that that claims 12 and 13 recite allowable subject matter. In accordance with the Examiner's helpful suggestion, claim 12 has been rewritten in independent form. Accordingly, Applicant submits that independent claim 12, as well as claim 13 that depends from claim 12, are in condition for allowance.

Attached hereto are revised Figures 1 and 2 wherein the boxes as originally illustrated would be labeled. Specifically, Applicant has labeled each of the rectangular boxes as originally shown in a manner that is consistent with the specification as originally filed, per 37 C.F.R. § 1.83(a). Thus, no new matter has been added.

The abstract of the disclosure was objected to because of its length as originally filed. This objection is respectfully traversed in view of the above amendment to the specification. In particular, the amended Abstract of the Disclosure is 148 words in length. It is respectfully submitted that the Abstract of the Disclosure is now in compliance with M.P.E.P. § 608.01(b), and that the objection should be withdrawn.

Claim 4 was objected to because of the informality identified in the Office Action. This rejection is respectfully traversed in view of the above amendment to claim 4. In particular, claim 4 has been amended in accordance with the Examiner's helpful suggestion, and it is therefore respectfully submitted that the objection should be withdrawn.

Claims 1 and 11 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over U.S. Patent No. 6,265,963 to Wood, Jr. (Wood) in view of U.S. Patent No. 5,412,379 to Waraksa et al. (Waraksa), and further in view of U.S. Patent No. 6,130,623 to MacLellan et al. (MacLellan). Claims 2, 4-6, 10 and 17 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Wood, Waraksa and MacLellan, as applied to claim 1, and further in view of U.S. Patent No. 6,169,474 to Greeff et al. (Greeff). Claims 3 and 9 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Wood, Waraksa, MacLellan and Greeff, as applied to claim 2, and further in view of U.S. Patent No. 3,750,168 to Schrader et al. (Schrader). Claims 7 and 8 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Wood, Waraksa, MacLellan

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and Greeff, as applied to claim 2, and further in view of U.S. Patent No. 5,710,548 to LeMense. Claim 14 was rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Wood, Waraksa and MacLellan, as applied to claim 1, and further in view of U.S. Patent No. 5,461,386 to Knebelkamp. Claim 15 was rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Wood, Waraksa and MacLellan, as applied to claim 1, and further in view of U.S. Patent No. 5,838,257 to Lambropoulos. And claim 16 was rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Wood, Waraksa and MacLellan, as applied to claim 1, and further in view of U.S. Patent No. 5,157,389 to Kurozu. Applicant respectfully traverses these rejections for at least the following reasons.

A process is known from Wood for wireless communication between an interrogator and a device/transponder 12 that is arranged at an object. This process is essentially used to track the location and movement of the object.

If an interrogation signal is transmitted and is received by device 12, device 12 produces a response signal 29 that is sent back to the interrogator (column 5, lines 11 through 23). Device 12 can be operated in back-scatter mode in which the signals received are reflected with modulation. Only the back-scatter mode is therefore known in which the antenna is switched to the matched and the mismatched state in order to reflect the signals.

In contrast, according to the present invention, a base unit 1 emits an interrogation signal that is encoded with time information. Key unit 100 also has a timer that encodes a response signal after receiving the prompt signal. The key unit 100 reflects the received signal by the antenna of the key unit switching the antenna to a matched or a mismatched state depending on the code of the time unit. At the same time the signal is encoded by means of the time unit.

In the base unit, the time information of the key unit is retrieved and compared with the essentially synchronous time. When there is at least extensive agreement (inclusive tolerance limits), an action is triggered or an action-enable is granted.

In the foreground of the present invention, therefore, is the fact that the signals are encoded with time information. In the event the two time data are no longer synchronous, acknowledgement can be sent to the key unit or from the key unit to the base unit, in order to restore synchronization.

A keyless entry system is known from Waraksa that works with a rolling code. A key (beacon) constantly sends out signals that are taken from a cyclic series of code signals. If these signals are received by the vehicle (i.e., the key is in the vicinity of the vehicle), the signal is

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decoded and checked for authorization. For this purpose the same cyclic series must be known in the vehicle. If the authorization checks out, an enable is granted or locks are unlocked.

The emission of the signal is performed via a so-called "clock code" that changes continuously when there is an interrupt (column 8, lines 46 through 49, and column 10, line 33 onward). For the receiver in the vehicle to be able to receive the signal, it must be set synchronous to the key. For this purpose, it is always synchronized in a unidirectional direction, i.e., from the key to the vehicle.

In this keyless entry system, there is only unidirectional transmission from the key to the lock, whereas in the present invention there is a bidirectional system. Furthermore, in the present invention, the signals are encoded with time information and compared with the pertinent mutual time information. That is to say, both the signals emitted by the vehicle and the signals emitted by the key are encoded with the time information.

It is respectfully submitted that the combination of Wood and Waraksa is improper inasmuch as Wood involves a bidirectional system while Waraksa involves a unidirectional system. In any event, neither Wood nor Waraksa show encoding by means of time information, as required in the present invention.

Further, it is respectfully submitted that none of the additionally applied prior art overcome the deficiencies of Wood and Waraksa. MacLellan is cited for allegedly showing two devices that simultaneously generate and compare coded information items. Greeff is cited for allegedly showing a power amplifier that minimizes signal losses and improves efficiency. Schrader is cited for allegedly showing a triangular function to frequency modulate a carrier frequency so as to enable an interrogator to determine the location of a device and to recognize the response of the device. LeMense is cited for allegedly showing first and second antennas, and allegedly showing a spatial differentiator and a control unit that form an evaluating and control unit. Knebelkamp is cited for allegedly showing an interrogator that transmits a signal either continuously or selectively. Lambropoulos is cited for allegedly showing a transceiver or base unit that periodically transmits an interrogation signal. And Kurozu is cited for allegedly showing a control unit that transmits an interrogation signal after a door request switch sends a request signal to the control unit.

Thus, it is respectfully submitted that the applied prior art, whether considered individually or in combination, fails to teach or suggest the claimed invention as a whole as recited in claim 1. and that the rejection thereof should be withdrawn.

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Claims 2-17 depend ultimately from allowable claim 1, and are therefore also allowable for at least the same reasons as claim 1, as well as for reciting additional features. Accordingly, the rejection of claims 2-17 should also be withdrawn.

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CONCLUSION

It is respectfully submitted that the application in now in condition for allowance and an early notification of such is earnestly solicited. Should the Examiner feel that there are any issues outstanding after consideration of this reply, the Examiner is invited to contact Applicant's undersigned representative to expedite the prosecution.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,
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